THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION No. 19482 OF 2005

DATED: 02.09.2005

Between:

D.M. Dakshina Murthy

… PETITIONER

AND

The Central Bureau of Investigation/SPE,

Hyderabad & 2 others.

… RESPONDENTS

ORAL ORDER:

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The petitioner was employed as Branch Officer in Shree Anantha Grameena Bank, 2nd respondent herein. Through order, dated 08.05.2005, he was placed under suspension on the allegation of misconduct. An enquiry by the Central Bureau of Investigation is also said to be in progress into certain irregularities that have taken place in the transactions of the bank.

This writ petition is filed with a prayer to set aside the order of suspension, and to reinstate the petitioner into service.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

Except, where the order of suspension is passed by an authority, not conferred with the jurisdiction or where it is passed in violation of the statutory provisions, this Court does not interfere with them. The purpose of placing an employee under suspension is to ensure that the records are not tampered with, and the enquiry proceeds smoothly. The truth or otherwise of the allegations against an employee would become evident only at the conclusion of the enquiry.

The petitioner is not able to point out any material irregularity or statutory violation vis-à-vis the order of suspension. Though several submissions are made touching on the merits of the matter as well as the alleged false implication of the petitioner in cases before the CBI etc., this Court is not inclined to deal with the same at this stage. While, the petitioner contends that the enquiry is not yet completed even though six months elapsed, learned Standing counsel, for the respondents 2 and 3, submits that it is the petitioner who has been taking time to produce his witnesses.

For the foregoing reasons, this Court is not inclined to interfere with the order of suspension, pending enquiry. However, the respondents 2 and 3 are directed to conclude the enquiry, within a period of three months from the date of receipt of a copy of this order, and the petitioner in turn shall cooperate with them.

The writ petition is accordingly, disposed of. No order as to costs.

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02.09.2005

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